IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.2064 OF 2005

.....

Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders.

Court's or Judge's orders

.....

Mr.Sandeep Velkar for the Petitioner
Mr.S.G.Manjarekar i/b Micchael D'souza for Respondent No.1
Mr.S.R.Shinde, A.P.P. for State

CORAM: A.S.OKA,J.
DATE : AUGUST 18, 2006.

P.C.:

1. Heard learned Advocate for the Petitioner. After I heard the submissions of the learned Advocate for the Petitioner in support of the Petition at some length, when I called upon the Advocate for the Respondent No.1 to answer, a request was made by the Advocate for the Respondent No.1 that the matter may be adjourned as the Counsel appointed is not present. No such request was made before the Advocate for the Petitioner started making his submissions. The prayer is made after the Advocate for the Petitioner made his submissions and therefore, the prayer for adjournment cannot be acceded to.

2. Arguable questions are raised. Writ Petition cannot be dismissed summarily and it is required to be decided on merits. Rule returnable early. Ad-interim order passed on 12th September 2005 will continue to operate till further orders.

3. It is clarified that notwithstanding the pendency of this Petition it will be open for the first Respondent to take appropriate steps. Trial of the complaint is not stayed.

‘

JUDGE